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DEPT FOR G/TIP, G, INL, DRL, PRM, AID, AND AF/RSA

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TAGS: [KCRM](#) [PHUM](#) [KWMN](#) [SMIG](#) [KFRD](#) [ASEC](#) [PREF](#) [ELAB](#) [RW](#)  
SUBJECT: RWANDA 2007 TRAFFICKING IN PERSONS REPORT

REF: SECSTATE 02731

¶1. Post submits the following information for the 2007  
Trafficking in Persons report. Responses are keyed to reftel.

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¶27. CHECKLIST  
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¶A. Rwanda is a source country for small numbers of women and children trafficked for sexual exploitation, domestic labor, and, in the case of male minors, child soldiering. There was one report of a small number of children in the Eastern Province being sent to Uganda for labor purposes, and reports of a Democratic Republic of Congo (DRC)-based armed group recruiting and trafficking Congolese from refugee camps for use as forced laborers or child soldiers in the DRC. There were no reliable statistics available on the extent of the trafficking problem in Rwanda, but it is generally considered to be very small. The Rwandan National Police monitor trafficking cases, and reported none in the last year. Girls who head households and girls who work as domestic laborers are most at risk of sexual exploitation. According to the 2002 Rwandan National Census of Population and Housing, 352,550 children aged 6 to 17 were engaged in child labor, 11.9 percent of whom as domestic workers. A 2002 joint study conducted by the Ministry of Public Service and Labor and UNICEF estimated 2,140 child prostitutes in Rwanda.

¶B. As stated above, there were some reports of women and children being trafficked for sexual exploitation, domestic labor, and child soldiering. The largest trafficking problem was underage prostitution; small numbers of impoverished girls, typically between the ages of 14 and 18, used prostitution as a means of survival, and some were exploited by loosely organized prostitution networks. Due to the genocide and deaths from HIV/AIDS, there were numerous children who headed households, and some of these children resorted to prostitution or may have been trafficked into domestic servitude. There were no changes to the extent of trafficking in Rwanda, which remains only a minor problem, though government efforts to combat gender-based violence (GBV), to improve community policing, and other measures to support vulnerable populations will likely have a positive impact in the coming years.

There is no indication that small crime groups or larger organized crime syndicates are involved in trafficking in Rwanda, nor that employment, travel, and tour agencies or marriage brokers are involved with or fronting for traffickers.

¶C. The Rwandan National Police, the Ministries of National Service and Labor, of Education, of Gender and Family Promotion, and of Local Administration and Social Affairs, and the Directorate General of Immigration and Emigration of the National Security Service are involved in anti-trafficking efforts.

¶D. The Government of Rwanda (GOR) faces several constraints in its efforts to combat trafficking in persons (TIP), primarily a lack of financial and human resources and many competing demands on its limited capacities. Because there is little belief in the GOR that TIP is a significant problem, more efforts are directed to combat gender-based violence than TIP specifically. (Note: The GOR acknowledges the problem of underage prostitution, but does not consider it a trafficking issue. End note.) There are some services available for victims of GBV, but they are insufficient to meet the needs of the affected population. The relatively inexperienced Rwandan bureaucracy is unable to systematically record and track data on trafficking, further limiting its ability to effectively focus anti-TIP efforts. There is very little government corruption.

¶E. There is no single entity tasked with monitoring anti-TIP efforts, and little capacity within the GOR to do so (see Section 27. D.). In the absence of a trafficking statute, the Rwandan National Police do track the number of trafficking cases which they may prosecute under other laws. They do not regularly publish detailed assessments of their GBV prevention, prosecution, and treatment efforts, although numbers of convictions obtained for various categories of crimes are tracked. Figures on numbers of vulnerable children moved to school or treatment programs and on victims of GBV are sometimes available from various GOR agencies and NGOs.

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¶28. INVESTIGATION AND PROSECUTION OF TRAFFICKERS  
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¶A. The GOR does not have a law specifically prohibiting trafficking in persons; however, it has laws against slavery, forced prostitution, kidnapping, and child labor under which traffickers may be prosecuted. (Note: Comprehensive draft anti-TIP legislation has been incorporated into a revised penal code that has passed a first review in the parliament. End note.) The Constitution places heavy emphasis on the protection of children. The following Rwandan laws are relevant to TIP:

- Article 28 of the Constitution guarantees every child special measures of protection by his/her family, society, and the state.
- Article 38 of the Constitution provides for free primary education for all children.
- Articles 363 to 378 of the penal code provide for punishment of prostitution, incitement to prostitution, exploitation of prostitution and public indecency.
- Statutory order on the moral protection of youth (November 19, 1973) prohibits unaccompanied persons under 18 from entering a bar or night club.
- Law No. 27/2001 (April 28, 2001) includes provisions for the protection of the child against violence. Article 4 states that the minimum age for recruitment into the army is 18. Forced marriage and involvement of children in prostitution, pornography, drug trafficking and slavery are also punishable crimes under the law. This law also establishes that any sexual relations with a child under 18 are considered rape. Anyone who lives or attempts to live with a child of less than 18 as husband or wife shall be deemed to have committed rape. Under this law, the penalty for rape of a child between 14 and 18 is 20 to 25 years in

prison, and life in prison for rape of a child under 14.

- Law No. 51/2001 establishing the labor code states that the child shall not be employed for night tasks that are unhealthy or dangerous. Articles 192 and 194 of the labor code provide for penalties against those who violate said provisions. The labor code also expressly forbids forced labor.

- Law No. 13/2002 (July 1, 2002) governs the armed forces and Law No. 16/2002 (August 15, 2002) establishes the minimum age for enrollment in the army.

- The National Policy for Orphans and Vulnerable Children (2003) outlines measures to protect children from abuse and exploitation and to provide them with access to health care, education, and economic and psychosocial support.

The GOR has ratified ILO Conventions 138 and 182. Rwanda is a signatory to the United Nations Convention on the Rights of the Child and the African Charter on the Rights and the Welfare of the Child, and has acceded to the Optional Protocols on the Involvement of Children in Armed Conflict and on Child Trafficking, Child Prostitution, and Child Pornography. Rwanda is also a signatory to the UNESCO World Declaration on Education for All, the UN Convention on the Elimination of All Forms of Discrimination Against Women and the UN Resolution 48/96 on Standard Rules on the Equalization of Opportunities for Persons with Disabilities.

B. and C. The GOR uses slavery, forced prostitution, kidnapping and anti-child labor laws to punish individuals convicted of trafficking for sexual exploitation and labor. Punitive measures include imprisonment of three months to one year and a fine for repeat offenders; imprisonment of three months to five years for those who entice others into prostitution; imprisonment of six months to six years and a fine for those who procure prostitutes; and imprisonment of one to five years for those who financially benefit from the proceeds. (See also section 28. A.) There were no figures available on numbers of convictions for trafficking for sexual exploitation and labor.

D. The penalty for rape ranges from a minimum of 15 years imprisonment to a maximum of a life sentence if the rape results in the severe chronic disease or death of the victim. Any sexual relations with a child under 18 are considered rape, and are punishable by between 20 years to life in prison. Rape of a child resulting in severe chronic disease or death of the victim is also punishable by life imprisonment.

E. Prostitution is illegal, and the penalty for prostitution ranges from the preventative to the punitive. To prevent recidivism, some prostitutes are subject to restraining orders to stay home or probation and monitoring. Punitive measures include imprisonment of three months to one year and a fine for repeat offenders; imprisonment of three months to five years for those who entice others into prostitution; imprisonment of six months to six years and a fine for those who procure prostitutes; and imprisonment of one to five years for those who financially benefit from the proceeds. However, the government has focused on the rehabilitation of prostitutes rather than on prosecution, as the problem is primarily one of economic necessity for the women involved rather than of criminal intent and disregard for the rule of law. The GOR does not regularly arrest prostitutes to avoid adding to an already over-burdened court system. Instead, police typically detain prostitutes overnight and release them the following day.

F. The government did not track numbers of human trafficking cases prosecuted in the past year as it lacks specific legislation. However, figures on prosecutions for other trafficking-related crimes are available.

G. During the year the police offered specialized training in

recognizing trafficking, particularly trafficking involving children, to many police cadets. The GOR provided training on sex crimes and crimes against children to police as part of the police training curriculum, and an NGO provided additional training to police on child protection procedures.

NGOs provided local government child development committees with training on monitoring child labor and sensitized parents and children on child labor issues through these committees. School-based programs included teacher training on child labor monitoring and counseling and the formation of student clubs to raise awareness of social issues including child labor and HIV/AIDS.

H. The GOR cooperates with other governments in the investigation and prosecution of trafficking cases. No figures of such investigations were available, but a police official said investigation into the trafficking of persons from Burundi to Uganda via Rwanda was ongoing.

I. Rwanda has extradition treaties with most of its neighbors and holds an active membership in the International Criminal Police Organization (Interpol). There were no extradition requests from other countries related to trafficking crimes.

J. There is no evidence of government involvement in or tolerance of trafficking, on either a local or institutional level. The GOR has an office of the ombudsman and a Prosecutor General which investigate institutional transgressions. The Rwandan National Police have an internal affairs department for investigations of corruption and other offenses committed by police officers.

K. Not applicable.

L. Rwanda contributes troops to the African Union peacekeeping operation in Darfur. They are considered to be the most professional, disciplined, and experienced troops involved in the peacekeeping operation. Training for these troops is funded in part by monies from the President's Emergency Plan for AIDS Relief (PEPFAR) and they receive instruction on HIV/AIDS prevention. Each battalion has an HIV/AIDS awareness club headed by a non-commissioned officer that provides peer to peer information on HIV/AIDS. Troops are also given gender sensitivity training and are instructed to treat every woman they encounter during their mission with respect, sensitivity, and concern. There have been no reports of trafficking, exploitation, or rape committed by these forces.

M. Not applicable.

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29. PROTECTION AND ASSISTANCE TO VICTIMS  
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A. The GOR does not have a system in place to assist foreign trafficking victims with relief from deportation, though there were no reports of deportation of such victims.

B. The GOR is committed to combating gender-based violence and to promotion of women and children's health, safety, and empowerment and has developed several policies, training and treatment programs, and sensitization campaigns to achieve this goal. While there are few services directly aimed at trafficking victims, they may take advantage of these other programs. In October officials at police headquarters in Kigali established a hotline for victims of GBV together with an examination room, trained counselors, and easy access to a police hospital for more intensive interventions. Each of the 62 police stations nationwide had its own gender desk, trained officer, and public outreach program. The national gender desk in Kigali also monitored investigations and prosecutions nationwide against GBV.

The government and NGOs provided rights training for orphans and vulnerable children and for women during the year, as well as economic, social, medical, and psychological support

for former sex workers.

1C. As part of its efforts to combat GBV and to protect orphans and vulnerable children, the GOR works closely with NGOs and international organizations to provide the services outlined above. The ministries of education and labor collaborate on child labor issues and have established "catch up" education centers for former child laborers. The Rwandan National Police work with the Ministry of Local Administration and Social Affairs and with several local NGOs (including the Rwandan Women's Network, Avega and Hagaruka) to provide women and orphans and vulnerable children with rights and empowerment training.

1D. At primary road checkpoints and international ports of entry, government officials question adult males traveling with children and no adult female. If the man does not possess an official document, signed by the mother or legal female custodian, he will be held while the authorities contact the mother (or custodian) to confirm lawful custody of the minor concerned. A police official reported that at the Kigali airport in a recent incident, a government official did not have proper documentation for her child and was not allowed to depart until she could produce it.

1E. Not applicable.

1F. As outlined above, there are "catch-up" programs available for former child laborers, and rehabilitation programs for former prostitutes. Trafficking victims may be subject to laws against prostitution, but as mentioned in section 28. E., few prostitutes are arrested and detained for short periods.

1G. Victims of crime in Rwanda are encouraged to work with the police on investigations and are able to file civil suits seeking legal redress.

1H. Both the GOR and local and international NGOs provide assistance to victims of GBV and to former prostitutes and child laborers. As described above, the Rwandan National Police have established policies and procedures to assist victims of GBV. There is a national child labor advisory committee composed of government ministries and international organizations that advises on policies and programs as well as interventions in cases of exploitation. There is a national policy on orphans and vulnerable children that establishes support mechanisms for children, including trafficking victims. There are several rehabilitation programs for former prostitutes, run by both local and national government bodies and by NGOs. Numbers of women and children assisted by these programs are not available.

1I. As mentioned elsewhere, the GOR offered training to police and offered community sensitization programs on trafficking and child protection issues. While employees of Rwandan embassies and consulates do not receive specific training on assisting trafficking victims, they can offer consular and legal advice in such cases, as well as assistance with repatriation and medical fees in concert with the host government and local NGOs.

1J. The GOR does not provide specific assistance to repatriated nationals who are victims of trafficking, but they would be able to access other services for victims of GBV.

1K. Besides the government ministries mentioned above, several NGOs and international organizations work on issues that are related to trafficking, primarily under the aegis of protection for women and children. These include IntraHealth/Twubakane, Hagaruka, Avega, World Vision, KURET, Sisters of Rwanda, FACT-Rwanda, Rwandan Women's Network, CESTRAR, Imbutu Foundation, and PROFEMME. UNDP, UNICEF, ILO, the World Food Program, and USAID are also involved in working with trafficking victims through the improvement of health care to women and children, empowerment of women,



promotion and protection of rights, and prevention of child labor and labor exploitation. These organizations report significant policy support and much good will on the part of the GOR to support their efforts, despite resource and capacity constraints.

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¶30. PREVENTION  
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¶A. The GOR acknowledges and takes action, within the limits of its capacity, to address child prostitution and GBV. There are so few confirmed instances of trafficking that the government does not view it as an important priority among many other competing needs and law enforcement concerns.

¶B. The GOR and NGOs offered training and awareness campaigns on trafficking and on rights of women and children targeting both potential trafficking victims and the community at large (See section 28. G.). A police official reported that men arrested for procuring prostitutes received sensitization on women's rights.

¶C. There is a national advisory committee on child labor composed of members of various government ministries, international organizations, and NGOs. Cooperation between civil society and the GOR on women and children's issues and policy implementation is strong.

¶D. A police official described border control measures as "strict" and cited such measures as a key component to prevention of TIP. There were seven primary land border crossings and two international airports, and all were effectively staffed by officials from the immigration service - a component of the National Security Service - and coordinated closely with the military and national police (see section 29. D.). There is a heavy police presence on the national road network, including a high number of police checkpoints that monitor traffic and check vehicles to enforce regulations on safety, cargo, and documentation.

The relevant government agencies are effective at monitoring immigration and emigration patterns along borders, and police officers are trained to observe drivers and passengers and to investigate any suspected irregularities, including any possible indications of trafficking.

¶E. The GOR does not have a single coordination mechanism, working group, or point of contact specifically directed toward trafficking; however, a similar group exists to address issues of child labor and exploitation (see section ¶29. H.). The office of the ombudsman is charged with addressing public corruption.

¶F. With international organizations and NGOs such as UNICEF and World Vision, the GOR has developed a national strategy on orphans and vulnerable children and a policy on child labor. These were developed in collaboration with civil society and various government stakeholders, and have been disseminated through awareness campaigns and workshops.

¶G. As stated in section 30. B., men arrested for procuring prostitutes receive information on women's rights. The police also offered training to women on their rights and there were programs to sensitize communities on child labor, including prostitution, both of which can help decrease demand for commercial sex acts.

¶I. See section 28. L.